



POLICY: POLICY REGARDING THE POSSESSION AND/OR CONSUMPTION OF CANNABIS

CODE : HR-18

Origin: Human Resources Department

Authority: 18-12-19-15.2

References: Refer to section "Legal Framework"

NOTE: The masculine gender, when used in this document, refers to women, men or others. No discrimination is intended.

RATIONALE

Recreational cannabis is legal in Canada only for individuals who are 18 years of age or older, subject to the conditions set out by the law.

This policy does not apply to "therapeutic cannabis" which is defined as any form of cannabis which is prescribed by a doctor for medical purposes.

POLICY OBJECTIVES

Considering the legalization of recreational cannabis, the English-Montreal School Board (hereinafter referred to as the "EMSB") intends to namely protect the health and safety of its students, employees, elected representatives, volunteers as well as all users of any EMSB establishments, including its grounds, premises and buildings;

The EMSB also has to conform itself to the law in regards to the possession and/or consumption of cannabis in the education milieu.

FIELD OF APPLICATION

1. This policy applies to all adult students, parents and visitors of any EMSB establishments, including its grounds, premises and buildings;
2. This policy applies to all EMSB employees;
3. This policy applies to any elected representative, volunteer and person responsible for supervising or monitoring the activities of the EMSB;
4. This policy applies to any educational and/or business partners of the EMSB, their affiliated organizations, employees, representatives or sub-contractors;

5. This policy applies at all time, including during any activity organized by the EMSB, its departments, representatives, schools or centres in any EMSB establishments, including its grounds, premises and buildings.

LEGAL FRAMEWORK

All Canadian and Quebec laws, EMSB governance policies and bylaws as well as collective agreements (national and local) binding the EMSB will be applied, more particularly, but not limited to:

1. *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, (Cannabis Act)* Statutes of Canada 2018, chapter 16, 1st Session, 42nd Parliament;
2. *Criminal Code*, R.S.C. 1985 c.C-46;
3. *An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions*, (2018, chapter 19, section 19);
4. *Charter of Human Rights and Freedoms*, (chapter C-12) (sections 1, 6, 9.1, 46);
5. *Civil Code of Quebec*, (chapter C-64) (sections 2087 & 2088);
6. *An Act respecting occupational health and safety*, (chapter S-2.1), (sections 9 & 51).

DEFINITIONS

In the present policy:

1. “**Recreational cannabis**” refers to any form of cannabis use which is not prescribed by a doctor for medical purposes. “Recreational cannabis” includes namely fresh or dried cannabis, cannabis oil, cannabis plant seeds and cannabis plants that can be taken by smoking, drinking, eating, vaporizing or vaping;
2. “**Establishments**” refer to all grounds, premises and buildings of the EMSB, such as its schools providing elementary and secondary education, its Adult Education and Vocational Centres as well as its Administration Building;

RECREATIONAL CANNABIS

1. Possession and/or consumption of recreational cannabis is strictly prohibited to any person present in any EMSB establishments;
2. Furthermore, possession and/or consumption of recreational cannabis is strictly prohibited to any person performing his duties as representative of the EMSB (namely as elected representative, employee, intern and/or volunteer);

3. Finally, possession and/or consumption of recreational cannabis is strictly prohibited to any person driving or having the care and/or control of a vehicle owned, rented or otherwise used by the EMSB, its students and employees;

DISCIPLINARY AND/OR OTHER MEASURES

The EMSB may take disciplinary measures and/or other measures against any employee and/or individual who violates the terms and prescriptions of the present policy.

APPLICATION OF THIS POLICY

1. The Director of Human Resources is responsible for the application of this policy;
2. This policy can be reviewed on an "as need" basis.